

## **REMARKS**

### **I. Status of Claims**

After the above amendments, claims 1-3, 5-8, and 10-11 are pending. Claims 1 and 6 are independent.

### **II. Entry of Amendments**

Applicant has amended claims 1 and 6 to incorporate the limitations previously set forth in claims 4 and 9, respectively. Claims 3 and 8 have been amended so that they conform with the amendments to claims 1 and 4 (that is, they conform to the newly added antecedent basis for certain terms). Since these amendments only incorporate previously recited limitations, they do not raise any new issues. Further, they put the application in better condition for appeal, if necessary. Accordingly, entry of the amendments is respectfully requested.

### **III. Claims Rejections over U.S. Patent No. 5,592,337 to Hama**

The Examiner has rejected claims 1-3, 5-8, 10, and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,592,337 to Hama. The Examiner has also rejected claims 2 and 9 under 35 U.S.C. § 103(a) as being obvious in view of the Hama patent. Applicant respectfully requests reconsideration and withdrawal of the rejections.

#### **A. Independent Claims 1 and 6**

Independent claims 1 and 6 each recite “*at least one fixing piece integrally formed with a bottom surface of the frame.*” The Examiner asserts that this limitation “would have been obvious to one of ordinary skill in the art to make these two elements to be integral for the purpose of tightly securing the mirror to the housing.”

Applicant respectfully disagrees because the proposed modification of the Hama patent would change the principle of operation of the Hama patent. “If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.” M.P.E.P. § 2143.01 (citing *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (C.C.P.A. 1959)). In this case, the proposed modification of Hama would require a substantial

reconstruction and redesign of the Hama device, and would change the basic principle under which it was designed to operate.

The Examiner posits that the arm portions 33 of the Hama device are fixing pieces, and that it would have been obvious to make the arm portions 33 integral with the bottom surface of the frame. One of the key aspects of the Hama device, however, is that it includes a snap in fastener 30 (with arm portions 33) that makes the assembly of the Hama device quick and simple. For example, the very first sentence of the Abstract explains that the Hama device is “A mirror mount having internal protrusions accepts a snap-in fastener.” In the detailed description, the Hama patent explains how this snap-in fastener 30 functions, and how the Hama device is simply assembled by snapping in the snap-in fastener 30. *See, e.g.*, Hamas patent, col. 7, line 49 - col. 8, line 18. Each of the independent claims (1 and 13) requires a snap-in fastener. The snap-in fastener 30 is an integral part of the device of the Hama patent. Indeed, it appears that the snap-in fastener 30 is the purportedly inventive aspect of the Hama patent.

Changing the snap-in fastener 30 so that the integral arms 33 are integrally molded with the frame completely changes the design and principle of operation of the Hama device. Accordingly, as explained by M.P.E.P. § 2143.01, the rejections of claims 1 and 6 are improper, and should be withdrawn.

**B. Dependent Claims 2, 5, and 10**

Claim 2 recites that “the at least one support block is shaped in a triangle having a predetermined slant surface for contacting said portion of the reverse surface of the reflection mirror,” while claims 5 and 10 recite that the “at least one support block has a slanted surface to maintain tight contact between the connection surface of the fixing piece and the reflection surface of the mirror.” The Examiner asserts that element 28a of the Hama device is a support block having a slanted surface. Applicant respectfully disagrees, and requests reconsideration of the rejection of these claims.

A careful review of the figures and specification of the Hama patent show that the element 28a is not a support block, and does not have a slanted surface that contacts the mirror, as required by the claims. As seen in FIG. 3, there is a gap between the element 28a and the mirror 17. Thus, element 28a is not a support block. Instead, as shown in FIG. 5(a), and as

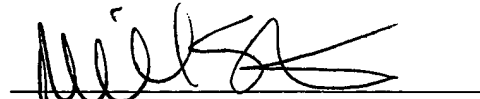
explained at col. 8, lines 8-13, the square, protruding portion 28c contacts the mirror 17 to act as a support block for the mirror. As seen in the figure, the protruding portion 28c does not have a slanted surface that contacts the mirror. Accordingly, the Hama patent does not disclose, nor does it suggest, a support block with a slanted surface. Thus, these claims are allowable for this additional reason.

#### **IV. Conclusion**

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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